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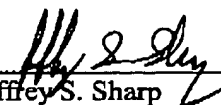
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:)
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McMichael, J. *et al.*)
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Serial No.: 09/495,186)
)
Filed: February 1, 2000)
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For: TREATMENT OF SYMPTOMS)
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OF ASTHMA, ALLERGIES AND)
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OTITIS MEDIA)
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Group Art Unit: 1633)
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Examiner: Wilson, M.)
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CERTIFICATE OF FACSIMILE
TRANSMITTAL

I hereby certify that this paper and the documents referred to herein as enclosed are being transmitted via facsimile to the U.S. Patent and Trademark Office, 703-872-937, on this date:

Date: November 5, 2001



Jeffrey S. Sharp
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**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111 AND SUBMISSION OF
TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321**

Commissioner for Patents
Washington, DC 20231

Sir,

This is in response to the Office Action dated July 3, 2001 in which all pending claims (1-20) are finally rejected under one or more of 35 U.S.C. §§112 (first and second paragraphs), 103(a), and under the judicially created doctrine of obviousness-type double patenting. This response is timely filed as it is filed along with a one-month extension and associated fees. A terminal disclaimer related to pending claims 8-14 over U.S. Patent Nos. 5,726,160 and 5,955,442 is filed herewith. Reconsideration and allowance of the claims is solicited in light of the following amendments and remarks.